

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**MELVIN GRAYER, #08710**

**PETITIONER**

**v.**

**NO. 1:17CV260-HSO-MTP**

**TROY PETERSON**

**RESPONDENT**

**ORDER**

Presently pending before the Court is the Respondent's Motion [15] to Dismiss filed May 21, 2018. Respondent states Peterson's charges in Harrison County Circuit Court Cause Nos. B2401-16-103 and B2401-16-783 were passed to the files in light of his conviction in B2401-17-561, and are no longer pending. As such, Respondent argues that this habeas action should be dismissed as moot.

Petitioner should file a response indicating if he agrees that this matter should be dismissed, or if he does not agree he should file a substantive response to the motion. **Plaintiff should file his response to this order or Motion [15] on or before June 7, 2018.** Otherwise, the motion may be considered without a response.

SO ORDERED this the 22nd day of May, 2018.

s/ Michael T. Parker  
United States Magistrate Judge